

REMARKS

This application contains claims 51-58. Claim 56 has been canceled without prejudice. Claims 51 and 52 have been amended. New claims 57 and 58 have been added. No new matter has been introduced. Reconsideration is respectfully requested.

Claims 51-55 were rejected under 35 U.S.C. 112, first paragraph, for alleged failure to comply with the Written Description requirement. Applicant has amended claim 51, as suggested by the Examiner, to overcome the rejection by reciting "a conductive layer comprising a transition metal element."

Claims 51 and 53-55 were rejected under 35 U.S.C. 112, second paragraph, for alleged lack of clarity in the definition of the cathodic layer in claim 51. Applicant has amended claim 51 to clarify this point. The amended claim states that the thin-film cathodic layer comprises a metal sulfide that is electrochemically formed directly on the conductive layer by electrooxidation or electroreduction of the conductive layer. Various examples of formation of cathodic layers by this sort of process are described in the specification. (See paragraphs 0068 and 0084-0107 in the published version of the present patent application, US 2006/0032046.) As can be seen in these examples, the metal sulfide may comprise the same metal as the underlying conductive layer (as in the specific case recited in claim 52) or a different metal.

In view of the amendments to claim 51 and the remarks presented above, all of the claims in the present patent application are now believed to meet the requirements of 35 U.S.C. 112.

Claims 51 and 53-56 were rejected under 35 U.S.C. 103(a) over Nathan et al. (U.S. Patent 6,197,450). In view of the cancellation of claim 56, the rejection of this claim is moot. The amendment to claim 51 is believed to distinguish the claimed invention over Nathan. Specifically, Nathan neither teaches nor suggests forming a thin-film cathodic layer comprising a metal sulfide directly on the conductive layer by electrooxidation or electroreduction of the conductive layer, as is recited in amended claim 51. In view of this distinction, claim 51 is believed to be patentable over the cited art, as are claims 52-55, which depend from claim 51.

New dependent claims 57 and 58 have been added to recite further features of the present invention, as claimed originally in claims 31 and 38, for example. These claims are also believed to be patentable, at least in view of the patentability of claim 51, from which they depend.

Applicant believes the amendments and remarks presented above to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these amendments and remarks, all of the claims now pending in this application are believed to be in condition for allowance. Prompt notice to this effect is requested.

Respectfully submitted,  
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